

MARK MARTIN, )  
)  
Plaintiff, )  
)  
vs. ) Case No. 4:17 CV 1000 CDP  
)  
MICHAEL THOMAS, et al., )  
)  
Defendants. )

This matter is before me following a scheduling conference with the parties on October 20, 2017. After review of the joint statement regarding mediation [51], the Court believes that this case is suitable for early alternative dispute resolution, and it will be referred to mediation by separate Order effective November 15, 2017, with a completion deadline of January 16, 2018. At this time, the Court will not micromanage the process the parties use to select a mediator or the timing of plaintiff's settlement demand, except to reiterate that it is incumbent upon plaintiff to make an initial, timely settlement demand. I expect the parties to work together to select a mediator without Court intervention.


I will not enter a case management order at this time, except to require the parties to exchange initial disclosures by the agreed upon deadline of November 1, 2017. As the parties have already begun to engage in discovery, the general

deadlines of the Federal Rules of Civil Procedure will apply absent other agreements by the parties, including those relating to the time limits on depositions. If mediation fails, the parties shall file a joint proposed scheduling plan by no later than February 21, 2018, which sets out agreed-upon deadlines for the remainder of the case.

Accordingly,

**IT IS HEREBY ORDERED** that all disclosures required by Rule 26(a)(1), Fed. R. Civ. P., will be served no later than **November 1, 2017**.

**IT IS FURTHER ORDERED** that this case will be referred to alternative dispute resolution effective **November 15, 2017**, with that referral to terminate on **January 16, 2018**. If the parties fail to settle, they shall file a joint proposed scheduling plan by no later than **February 2, 2018**, which sets out agreed-upon deadlines for the remainder of the case.

  
\_\_\_\_\_  
CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

Dated this 24th day of October, 2017.